

REMARKS

After entry of this Amendment, claims 1-6 and 8-22 are pending in the application. Claims 1, 8, 9, 11, 17, 18, 21, and 22 have been amended to more particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claim 7 has been cancelled without prejudice. Reconsideration of the application as amended is requested.

In the Office Action dated January 25, 2005, the Examiner rejected claims 1, 7-11, 16-18, and 20 under 35 U.S.C. § 102(b) as being anticipated by Silver (U.S. Patent No. 4,244,075). It is respectfully submitted that Silver '075 does not anticipate, teach or suggest the invention recited in claims 1, 7-11, 16-18, and 20. The structure in Silver '075 includes a handle portion located in the middle portion, between the enlarged ends (see Fig. 1 and Fig. 2). As shown in Figs. 1 and 2, the handle joins the outer peripheral portion of an enlarged end (see col. 2, ll. 54-58). The handle has a narrow neck portion between the inner and outer ends (see col. 2, l. 67 - col. 3, l. 2). The handle also has a rib configuration that is made up of three different types of ribs (see Figs. 1 and 2 and col. 3, ll. 3-34). The three rib types; lengthwise, transverse, and diagonally extending ribs, are of varying thicknesses and each intersect each other at a location in the middle portion (see col. 3, ll. 5-34 and Fig. 2). Applicant respectfully submits that the structure disclosed in Silver '075 does not anticipate, teach or suggest that a handle portion is located along the peripheral surface defining an outer longitudinal end of one or both of the enlarged ends. The present invention discloses a structure having a handle-grip located along the peripheral surface defining an outer longitudinal end of one or both of the enlarged ends (see claims 1 and 11 and Figs. 1 and 6). The middle portion has ribs that are located along the outer edges and extend transversely along the length of the middle portion (see claims 8 and 17). Multiple notches, located at a distance longitudinally and transversely apart from each other, are formed along the outer edges of opposing longitudinal sides of the middle portion (see claims 9 and 18). The plurality of notches disclosed in the present invention is distinct from the structure having a single narrowed neck portion as disclosed in Silver '075. Additional ribs can form a zigzag pattern along the length of the middle portion between the notches formed in the outer edges of the present invention (see Claims 9 and 18). The Silver '075 reference does not anticipate, teach or suggest the invention as recited in claims 1, 7-11, 16-18, and 20. Reconsideration of these claims is requested.

Claims 1, 6-11, 15-18, and 20 have been rejected by the Examiner under 35 U.S.C. § 102(b) as being anticipated by Gringer (U.S. Patent No. 5,809,605). It is respectfully submitted that Gringer '605 does not anticipate, teach or suggest the invention as recited in claims 1, 6-11, 15-18, and 20. The structure disclosed in Gringer '605 includes a middle portion and two enlarged ends, however, the structure does not disclose a handle portion located at one or both of the outer edges of the enlarged ends. Instead, the Gringer '605 structure has a handle grip that extends the length of the middle portion *and* an enlarged end (see Figs. 1 and 2). The handle also has a ribbed ornamental design that extends the length of the handle (see col. 2, ll. 45-47 and Figs. 1 and 2). As shown in the cross-sectional view in Fig. 2, a zigzag pattern is formed when material is woven between the opposing surfaces through slots in the handle (see Fig. 2). At the opposing enlarged end is a blade having a squeegee attached (see col. 2, ll. 65-68 and Figs. 1 and 2). The structure in Gringer '605 also discloses that a sponge can be extruded with the blade (see col. 3, ll 18-21 and Figs. 6 and 7). The present invention discloses a structure having a middle portion and two enlarged ends, however, the structure also has a hand-grip portion that is located along the peripheral surface defining an outer longitudinal end of one or both of the enlarged ends (see claims 1 and 11). The hand-grip portion does not extend into the middle portion of the structure (see claims 1 and 11 and Fig.1). The ribs disclosed in the present invention form a zigzag pattern that extend to and from notches that are formed on opposing longitudinal side edges of the middle portion (see claims 9 and 18). A squeegee can be integrally formed on the body of one enlarged end and a replaceable cleaning cover can be attached to the other enlarged end. The structure does not support the attachment of the cleaning cover on the same enlarged end that the squeegee is formed on, the squeegee and cleaning cover are located on opposing ends of the device (see claims 2 and 6). Therefore, the Gringer '605 reference does not anticipate, teach or suggest the invention as recited in claims 1, 6-11, 15-18, and 20. Reconsideration of the Examiner's rejection is requested.

Claims 1-3, 5-6, 11-13, 15 and 19 have been rejected by the Examiner under 35 U.S.C. § 102(b) as being anticipated by Gordon (U.S. Patent No. 1,790,466). Gordon '466 discloses a cleaning device having a slender rod 1. An open-ended loop 2 is soldered or welded to one end of the rod 1 and a metal member is soldered or welded to the other (see ll. 61-73). A hand-grip 9 is attached to the middle portion by a ring 7 and swivel 8, which allows the handgrip to rotate about

the middle portion and to move longitudinally along the length of the middle portion (see Figs. 1 and 3 and ll. 75-78). The body of the present invention is one single unitary piece having a middle portion and two enlarged ends and a plurality of ribs (see claims 1 and 11). A handgrip is located along the peripheral surface defining an outer longitudinal end of one or both of the enlarged ends, not the middle portion (see claims 1 and 11). The handgrip is formed as one piece with the body and permanently positioned on an enlarged end. Therefore, the Gordon '466 reference does not anticipate, teach or suggest the invention as recited in claims 1-3, 5-6, 11-13, 15 and 19. Reconsideration of the Examiner's rejection is requested.

Claims 1-3, 5, 10-13, 15 and 20 have been rejected by the Examiner under 35 U.S.C. § 102(b) as being anticipated by Hendricks (U.S. Patent No. 6,601,264). The structure disclosed in Hendricks '264 is a cleaning device having a middle portion and two enlarged ends. The structure has a handgrip 24 located on one of the enlarged ends (see col.2, ll. 51-55). A sponge is adhesively affixed to the opposing enlarged end (see col. 4, ll. 18-20). The present invention discloses a body having a middle portion and two enlarged ends (see claims 1 and 11). The elongated middle portion also has a plurality of ribs for stiffening (see claim 1). A handgrip is located on one or both of the enlarged ends (see claims 1 and 11). A squeegee can be formed integrally with the body of one enlarged end and a cleaning cover including a cleaning mitt or sponge and can be engagable on the opposite enlarged end (see claims 2 and 6). The handgrip can be integrally formed in the body of either enlarged end or both enlarged ends of the device, including the end having the cleaning mitt or sponge (see claims 1 and 11). The cleaning cover is removable from the body portion of the device, rather than adhesively affixed to the body (see claims 2 and 12). Claim 1 now recites the combination of a handle portion located along the peripheral surface defining an outer longitudinal end of one of the enlarged ends and a plurality of ribs, which is not shown by the Hendricks '264 reference. The Hendricks '264 reference does not anticipate, teach or suggest the invention as recited in claims 1-3, 5, 10-13, 15 and 20. Reconsideration of the Examiner's rejection is requested.

Claims 1-3, 5-6, 11-13, 15 and 19 have been rejected by the Examiner under 35 U.S.C. § 102(b) as being anticipated by Loveland (U.S. Patent No. 2,649,600). The structure disclosed in Loveland '600 is a window cleaning device have a handle with a sponge attached to one end and a squeegee attached to the other (see Figs. 1-3). A plate is attached one end of the handle and a sponge is secured to

the plate (see col. 2, ll. 20-26). The opposing end of the handle also has a plate and a squeegee is attached to the plate (see col. 2, ll. 38-50). The plates are secured to the handle by riveting or welding (see col. 2, ll. 20-24 and 48-50). The middle portion and the enlarged ends are not a single, unitary body (see Figs. 1 through 3). The present invention discloses a single, unitary body having a middle portion and two enlarged ends (see claims 1 and 11). The elongated middle portion includes a plurality of ribs for stiffening (see claim 1). A handgrip is integrally formed in the body along the peripheral surface defining an outer longitudinal end of one or both of the enlarged ends (see claims 1 and 11). A squeegee can be integrally formed on one of the enlarged ends and a replaceable cleaning cover can be engagable on the opposite enlarged end (see claims 2 and 6). The cleaning cover can include a cleaning mitt or sponge and can be replaced by disengaging the cover from the body (see claim 3 and 12). The Loveland '600 reference does not anticipate, teach or suggest the invention as recited in claims 1-3, 5-6, 11-13, 15 and 19.

Reconsideration of the Examiner's rejection is requested.

Claims 4 and 14 have been rejected by the Examiner under 35 U.S.C. §103(a) as being unpatentable over Hendricks (U.S. Patent No. 6,601,264) in view of Janssen (U.S. Patent No. 4,856,136). The Examiner recognizes that the structure in Hendricks '264 does not disclose the use of hooks as a means for gripping a soft cover, but suggests that it would be obvious from Janssen '136 to modify the device by adding hooks for gripping the sponge. The structure in Hendricks '264 is relevant for the disclosure of a cleaning device having a sponge 14 adhered to cross member 10 and a handle portion 12 at the opposite end (see col. 4, ll. 18-21). Janssen '136 is relevant only for its disclosure of a brush device having a handle 14 with a mounting section 20 having lateral extending serrations 24 on the longitudinal side edges (see Fig. 1 and col. 5, ll. 20-22). Claim 1 in the present invention now recites the combination of a handle located along the peripheral surface defining an outer longitudinal end of one of the enlarged ends and a plurality of ribs. Claim 11 recites an invention having a handle located along the peripheral surface defining an outer longitudinal end of each of the enlarged ends. The combination of references cited does not meet the invention as set forth in claims 1 and 11. Therefore, Applicant respectfully submits that the combination of references does not meet the invention as set forth in claims 4 and 14 for the reasons set forth above. In addition, claims 4 and 14 have been amended to more particularly point out and distinctly claim that the hooks are located adjacent to the transition between a longitudinally extending side

and an inner end of the enlarged end portion, which is not taught, or suggested by Hendricks and/or Janssen, taken singularly or in any permissible continuation. Applicant further respectfully submits that the Janssen '136 reference is non-analogous art. A person of ordinary skill in the art would not be motivated to look to a painting device for a solution for a window cleaning apparatus. With respect to the present invention, the appropriate field of endeavor is cleaning devices art. Prior art outside the Applicant's field of endeavor, knowledge is presumed only as to those arts reasonably pertinent to the particular problem with which the Applicant is involved (see In re Clay, 966 F.2d 656 (Fed. Cir. 1992)). In the present application, the Applicant is concerned with a window cleaning device. In determining whether a cited reference is non-analogous art, it must be determined whether the reference is from within the Applicant's field of endeavor and whether the reference is reasonably pertinent to the particular problem involved. The Janssen '136 reference discloses a foam brush for absorbing and releasing liquid paint (see Abstract). The reference does not relate to window cleaning devices and therefore is outside Applicant's field of endeavor. The Janssen '136 reference is not reasonably pertinent to the particular problem involved in the present invention, since the present invention is concerned with cleaning a window located in a narrow clearance space between a passenger compartment of a pick-up truck and a cab enclosure covering a bed of the pick-up truck (see Field of Invention), while the Janssen '137 reference is concerned with applicators for paint, specifically a paint brush with a foam head (see col. 1, ll. 5-9). It is respectfully submitted that the Janssen '137 reference is non-analogous art, and therefore cannot be properly combined with the Hendricks '264 reference as suggested by the Examiner in rejecting claims 4 and 14. Reconsideration and withdrawal of the Examiner's rejection is respectfully requested.

Claims 4, 14, 21 and 22 have been rejected by the Examiner under 35 U.S.C. §103(a) as being unpatentable over Gordon (U.S. Patent No. 1,790,466) in view of Janssen (U.S. Patent No. 4,856,136), and further in view of Silver (U.S. Patent No. 4,244,075). The Examiner recognizes that the structure in Gordon '466 does not disclose the use of hooks as a means for gripping the soft cover or a plurality of ribs formed on the body, but suggests that it would be obvious in view of Janssen '136 to modify the device by adding hooks for gripping the soft cover and to add ribs in view of Silver '075. Gordon '466 discloses a device having a slender, substantially rigid rod 1 (see ll. 61-62). A sliding ring 7, having a swivel 8 and hand-grip or wristband 9, moves rotatably around and moves freely along the length of the

rod 1 (see ll. 75-78). When citing references under 35 U.S.C. §103, the references can only be combined if there is some suggestion or incentive to do so spelled out in the references themselves (see ACS Hospital Systems, Inc. v. Montefiore Hospital et al, 732 F.2d 1572 (Fed. Cir. 1984)). Therefore if a reference, when combined with another, is modified so far that it no longer functions in its intended mode of operation, it cannot said to suggest or give incentive to do so. To modify the rod in Gordon '466 by adding ribs to the middle portion would restrict the free movement of the sliding ring and handgrip along the length of the rod, and thus alter the function of the invention in Gordon '466. For the reasons set forth above, Applicant respectfully submits that the references that the Examiner has cited for obviousness not only lack the suggestion or incentive to combine, but cannot be combined so as to retain what both patentees describe as essential functions. Applicant further respectfully submits that the Janssen '136 reference is non-analogous art for the same reasons as stated above, as if restated herein in their entirety. In addition, claims 4, 14 and 21 have been amended to more particularly point out and distinctly claim that the hooks are located adjacent to the transition between a longitudinally extending side and an inner end of the enlarged end portion, which is not taught, or suggested by Gordon and/or Janssen, taken singularly or in any permissible continuation. It is respectfully submitted that the Janssen '137 reference is non-analogous art, and therefore cannot be properly combined with the Gordon '466 and Silver '075 references as suggested by the Examiner in rejecting claims 4, 14, 21 and 22. Reconsideration and withdrawal of the Examiner's rejection is respectfully requested.

Claims 4, 14, 21 and 22 have been rejected by the Examiner under 35 U.S.C. §103(a) as being unpatentable over Loveland (U.S. Patent No. 2,649,600) in view of Janssen (U.S. Patent No. 4,856,136), and further in view of Silver (U.S. Patent No. 4,244,075). The Examiner recognizes that the structure in Loveland '600 does not disclose hooks as a means for gripping the soft cover or ribs for structural support, but suggests that it would be obvious to add the hooks in view of Janssen '136 and the ribs in view of Silver '075. Loveland '600 is relevant for the disclosure of a cleaning device having a flat center handle made of a suitable material such as steel, with a washing member adhesively secured to one end of the handle and a wiping member on the other (see col. 2, ll. 15-30). Silver '075 is relevant for its disclosure of a washing device having ribs located along the handle portion located in the middle portion of the device. Claim 1 of the present invention now recites the combination of a washing device having ribs located in the middle portion and a

handle located along the peripheral surface defining an outer longitudinal end of one of the enlarged ends. Claim 11 recites an invention having a handle located along the peripheral surface defining an outer longitudinal end of each of the enlarged ends. Applicant respectfully submits that the combination of references does not meet the invention as set forth in claims 4, 14, 21, and 22 for the reasons set forth above. Moreover, the Loveland '600 specification contains no suggestion which the Applicant can find to the effect that ribs can be added to the steel handle for advantageously providing additional structural support as suggested by the Examiner. Applicant further respectfully submits that the combination of the Loveland '600, Janssen '136, and Silver '075 references does not meet the invention as set forth in claims 4, 14, 21, and 22 for the reasons set forth above. Applicant further respectfully submits that the Janssen '136 reference is non-analogous art for the same reasons as stated above, as if restated herein their entirety. In addition, claims 4, 14 and 21 have been to more particularly point out and distinctly claim that the hooks are located adjacent to the transition between a longitudinally extending side and an inner end of the enlarged end portion, which is not taught, or suggested by Loveland, Silver and/or Janssen, taken singularly or in any permissible continuation. It is respectfully submitted that the Janssen '137 reference is non-analogous art, and therefore cannot be properly combined with the Loveland '600 and Silver '075 references as suggested by the Examiner in rejecting claims 4, 14, 21 and 22. Reconsideration and withdrawal of the Examiner's rejection is respectfully requested.

It is respectfully submitted that this Amendment traverses and overcomes all of the Examiner's objections and rejections to the application as originally filed. It is further submitted that this Amendment has antecedent basis in the application as originally filed, including the specification, claims and drawings, and that this Amendment does not add any new subject matter to the application. Reconsideration of the application as amended is requested. It is respectfully submitted that this Amendment places the application in suitable condition for allowance; notice of which is requested.

If the Examiner feels that prosecution of the present application can be

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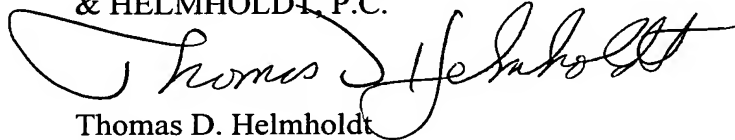
Date June 17, 2005

Reply to Office Action dated January 25, 2005

expedited by way of an Examiner's amendment, the Examiner is invited to contact the Applicant's attorney at the telephone number listed below.

Respectfully submitted,

YOUNG, BASILE, HANLON, MacFARLANE, WOOD
& HELMHOLDT, P.C.

A handwritten signature in black ink, appearing to read "Thomas D. Helmholdt", written over the printed name.

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